

HB 572 -- SCHOOL ACCREDITATION

SPONSOR: Montecillo

This bill requires the State Board of Education within the Department of Elementary and Secondary Education to annually appoint a team to conduct a complete performance analysis of any district whose annual performance report score is consistent with provisionally accredited or unaccredited status to determine the factors that have contributed to the lack of student achievement. The team must be appointed when annual performance reports become available and before the state board makes any changes in accreditation.

The analysis must address the effectiveness of programs within the district, including but not limited to curriculum, data management, community involvement, professional development, district contracts, and financial management and the team must include an experienced teacher and an experienced administrator from successful school districts of comparable size and per-pupil funding.

The department must compensate members of the team only for meals, lodging, and travel expenses. The size of the audit team must be based upon the size of the school to be audited and the audit team must report its findings to the state board and the local board of education. The state board may require all or part of those findings to be addressed in the comprehensive school improvement plan required under these provisions or performance contracts with the district.

The board of education of any district whose annual performance report score is consistent with provisionally accredited or unaccredited status must submit a comprehensive school improvement plan that provides for the certain specifications.

The bill requires comprehensive school improvement plans to be evaluated based upon certain specified standards and upon the specified time lines.

The department is required to withhold certain funds from any school district that fails to submit a comprehensive school improvement plan based upon the standards and time lines established in these provisions. Withheld funds must be released upon submission of a comprehensive school improvement plan that meets the established requirements.

The bill requires the state board to adopt a system of classification that accredits individual school buildings within a

district separately from the district as a whole. The state board must not classify a district as unaccredited unless it has previously classified at least 55% of the district's school buildings as unaccredited.

School boards in school districts whose annual performance report score is consistent with provisionally accredited or unaccredited status must immediately enter into a contract with the state board to commit to certain interventions for each school building whose annual performance report score is consistent with provisionally accredited or unaccredited status. Upon the mutual agreement of the local school board and the state board, a school whose grade configuration, curriculum, or student assignments are deemed to make the annual performance report score an inaccurate indicator of the need for the contract must be exempt from these provisions.

Except for a district that has been declared unaccredited on or before July 1, 2015, when a contract is executed, the state board must not accredit the district at a level below provisionally accredited as long as the district meets the performance goals laid out in the contract, which must include specified requirements. If a district that has been declared unaccredited on or before July 1, 2015, regains provisional accreditation status, these provisions apply to the district as of the date that the state board declares the district provisionally accredited.

The bill prohibits a single performance contract from being longer than for three years, but a performance contract may be renewed. If the district becomes accredited without provision during the term of the contract, the contract must be null and void. If at any time during the contract the district has met the performance goals of the entire contract but has yet to regain full accreditation, the contract must be renewed.

The bill requires the department to annually calculate a transient student ratio for each attendance center and each school district. The department must publish each district's and each attendance center's transient student ratio on its website and it must be included, or caused to be included, in each district's school accountability report card the transient student ratio of the district and of each attendance center operated by the district.

The department must include in each attendance center's school accountability report card the transient student ratio for the attendance center and publish on its website the state's aggregate transient student ratio.

The transient student ratio must be calculated as the product of:

(1) One hundred; and

(2) The quotient of:

(a) The sum of the number of resident full-time students and full-time equivalent number of part-time students who enroll in the district after the last Wednesday of September and the number of reentry students and the number of students who withdrew from the district during the school year; and

(b) The sum of the number of students who enrolled in the district on or before the last Wednesday in September and the number of students who enrolled in the district after the last Wednesday of September.

Each school district must annually report to the department, by a date established by the department, any information and data required to comply with and perform the calculation required by the bill.

The statewide assessment scores and all other performance data for any transient student or any student who has not been enrolled in a district-operated school for the previous three full school terms must be modified, as provided, when calculating the district's performance for purposes of the MSIP or any successor assessment program.

Any student who is enrolled in and attends a public school that is classified as unaccredited by the state board under the system of classification may transfer to another public school in the student's district of residence that offers the student's grade level of enrollment and that is accredited without provisions by the state board of education. Any transfer cannot result in a class size and assigned enrollment in a receiving school that exceeds the standard level for class size and assigned enrollment as promulgated in MSIP's resource standards.

If the student chooses to attend a magnet school, an academically selective school, or a school with a competitive entrance process within his or her district of residence that has admissions requirements criteria, the student must meet such admissions requirements criteria in order to attend.

Each district must adopt a policy to grant priority to the lowest achieving students from low-income families if its capacity is insufficient to enroll all pupils who seek to attend.

If a student residing in an unaccredited district and living within the attendance boundaries of an unaccredited school is unable to

transfer to another accredited school within his or her district of residence, the student may transfer to an accredited school within an accredited district located in the same or an adjoining county. The student's district of residence must pay the student's tuition as established in the bill. A student who wishes to transfer to an accredited district must provide proof that he or she resided in an unaccredited district and within the attendance boundaries of an unaccredited school for a minimum of 12 months prior to applying for a transfer.

Provisionally accredited district or provisionally accredited schools or districts are ineligible to receive transfer students. A district or school with a current year score of 75 or lower on its annual performance report under MSIP will not be eligible to receive any transfer students, irrespective of its state board of education accreditation classification, except that any student who was granted a transfer prior to the effective date of this section, to such a district or school may remain enrolled in that district or school.

The rate of tuition to be charged by the district attended and paid by the sending district is the per-pupil cost of maintaining the district's grade level grouping which includes the school attended. The cost of maintaining a grade level grouping must be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance, and replacements. Per-pupil cost of the grade level grouping must be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts must be submitted to the state board of education, and its decision in the matter will be final. The school board of a receiving district, upon a majority vote of the board, may choose to charge a rate of tuition less than the amount that would otherwise be calculated as provided.

If the school board of a receiving district, upon a majority vote of the board, chooses to charge a rate of tuition that is less than 90% of the rate that would otherwise be calculated, 10% of the receiving district's tuition rate must be paid from the supplemental tuition fund.

The bill creates in the state treasury the "Supplemental Tuition Fund" which will consist of any moneys appropriated annually by the General Assembly from general revenue to the fund, any moneys paid into the State Treasury and required by law to be credited to the fund and any gifts, bequests or public or private donations to the fund with the State Treasurer acting as custodian of the fund with the authority to approve disbursements. The fund will be a

dedicated fund and, upon appropriation, money in the fund must be used solely for the administration of these provisions. Any moneys remaining in the fund at the end of the biennium must not revert to the credit of the General Revenue Fund. The State Treasurer must invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on the investments must be credited to the fund.

Each district has the right to establish and adopt, by objective means, a policy for desirable class size and student-teacher ratios. If a district adopts a policy, it must not be required to accept any transfer students that would violate its class size or student-teacher ratio. If a student seeking to transfer is denied admission to a district based on a lack of space under the district's policy, the student or the student's parent or guardian may appeal the ruling to the state board of education if he or she believes the district's policy is unduly restrictive to student transfers. The state board must review the appropriateness of the district's policy and must give special consideration to any district with a greater than average population of students that qualify for free and reduced lunch. If the state board of education finds that the district's policy is unduly restrictive to student transfers, it may limit the district's policy. The state board's decision must be final.

When a district is declared unaccredited, it must contract with any special school district located in the same or an adjoining county for the reimbursement of special education services provided by the special school district for transfer students who are residents of the unaccredited district.

The student's district of residence may provide transportation for him or her to attend another accredited district but will not be required to do so.